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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/825,436	04/02/2001	Richard C. Gowen	051207-1080	1807
22827	7590	05/07/2004		
DORITY & MANNING, P.A. POST OFFICE BOX 1449 GREENVILLE, SC 29602-1449			EXAMINER CORRIELUS, JEAN M	
			ART UNIT 2172	PAPER NUMBER 11
DATE MAILED: 05/07/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/825,436

Applicant(s)

GOWEN ET AL.

Examiner

Jean M Corrielus

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 February 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 11-20 is/are pending in the application.
- 4a) Of the above claim(s) 1-10 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

DETAILED ACTION

1. This office action is in response to the election of the restriction requirement filed on February 10, 2004, in which claims 11-20 are elected for further examination.

Response to Arguments

2. Applicant's arguments with respect to claims 11-20 have been considered but are moot in view of the new ground(s) of rejection necessitated by amendment.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 11 recites the limitation "the system data into a searchable billing data and customer usage data" in line 4 and "the searchable data" in line 6. It is unclear as to which system data and searchable data the applicant is referred to. There is insufficient antecedent basis for this limitation in the claim. Applicant is advised to amend the claim to solve the 112 rejection set forth in the claim.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

6. Claims 11-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Cashiola US Patent no. 6,535,593.

As to claim 11, Cashiola discloses the claimed "logic for acquiring calling card system data" pre-paid calling card services (col.6, lines 19-30); "logic for transforming the system data into searchable billing data and customer usage data" consolidating billing data relates to actual prepaid account usage data (col.6, lines 57-63); and "logic for providing queries on the searchable data" (col.6, lines 32-33, lines 60-63; col.8, lines 2-13).

As to claim 12, Cashiola disclose the claimed "logic for loading searchable data into a billing data mart" (col.6, lines 57-63; col.8, lines 2-13).

As to claim 13, Cashiola discloses the claimed "logic for loading searching data into a usage data mart" (col.6, lines 57-63; col.8, lines 2-13).

As to claim 14, Cashiola discloses the claimed "logic for creating summary tables of the billing data mart and usage data mart" (col.6, lines 32-33, lines 57-63; col.8, lines 2-13).

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As to claim 15, Cashiola discloses the claimed "logic for refreshing the billing data mart and usage data mart" (col.6, lines 32-33, lines 57-63; col.8, lines 2-13).

As to claims 16-20, the limitations of claims 16-20 have been noted in the rejection of claims 11-15 above. They are, therefore, rejected in the same rationale.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 11-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bowman-Amuah (hereinafter "Bowman") US Patent no. 6,345,239 in view of Cashiola US Patent no. 6,535,593.

As to claim 11, Bowman discloses the claimed "transforming the system data into searchable billing data and customer usage data" (col.26, lines 7-25); and "providing queries on the searchable data" (col.26, lines 7-26). However Bowman does not explicitly disclose the use of the calling card system. On the other hand, Cashiola discloses the use of acquiring calling card system data" pre-paid calling card services (col.6, lines 19-30). Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to combine the teaching of the cited references, wherein the usage data information, provided therein (see

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Bowman's fig.27) would incorporate the use of acquiring calling card system data" pre-paid calling card services in the same conventional manner as disclosed by Cashiola (col.6, lines 19-30). One having ordinary skill in the art at the time the invention was made would find it motivated to do such combination because that would Bowman's system the enhanced capability of permitting user to custom purchase and acquire prepaid communication

As to claim 12, Cashiola disclose the claimed "logic for loading searchable data into a billing data mart" (col.6, lines 57-63; col.8, lines 2-13).

As to claim 13, Cashiola discloses the claimed "logic for loading searching data into a usage data mart" (col.6, lines 57-63; col.8, lines 2-13).

As to claim 14, Cashiola discloses the claimed "logic for creating summary tables of the billing data mart and usage data mart" (col.6, lines 32-33, lines 57-63; col.8, lines 2-13).

As to claim 15, Cashiola discloses the claimed "logic for refreshing the billing data mart and usage data mart" (col.6, lines 32-33, lines 57-63; col.8, lines 2-13).

As to claims 16-20, the limitations of claims 16-20 have been noted in the rejection of claims 11-15 above. They are, therefore, rejected in the same rationale.

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Conclusion

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean M. Corrielus whose telephone number is (703) 306-3035. The examiner can normally be reached on Monday - Friday (12:00pm - 7:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John E Breene can be reached on (703) 305-9790. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Jean M. Corrielus

Patent Examiner

April 29, 2004